

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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DONALD HOLUPKA,

Plaintiff,

-against-

**NOTICE OF VOLUNTARY  
DISMISSAL PURSUANT TO  
F.R.C.P. 41(a)(1)(A)(i)**

**Case No.:  
2:12-cv-00397-JFB-ARL**

POLICE OFFICER CHRIS SKARTSIARIS, Individually  
and in his capacity as a Lynbrook Police Department  
Police Officer;  
POLICE OFFICER FRANK MENNA, Individually  
and in his capacity as a Lynbrook Police Department  
Police Officer;  
POLICE OFFICER C. LENGEL, Individually  
and in his capacity as a Lynbrook Police Department  
Police Officer;  
POLICE OFFICER CHRIS McCARTHY, Individually  
and in his capacity as a Lynbrook Police Department  
Police Officer;  
POLICE OFFICER ERIC M. BRUEN, Individually  
and in his capacity as a Lynbrook Police Department  
Police Officer;  
POLICE OFFICER BRIAN PALADINO, Individually  
and in his capacity as a Lynbrook Police Department  
Police Officer;  
DETECTIVE RICHARD NEIDECKER, Individually  
and in his capacity as Detective;  
POLICE OFFICER ROBERT HARRISON, Individually  
and in his capacity as a Lynbrook Police Department  
Police Officer;  
POLICE OFFICER PATRICK BAGINSKI, Individually  
and in his capacity as a Lynbrook Police Department  
Police Officer;  
POLICE OFFICER JOSEPH COSENZA, Individually  
and in his capacity as a Lynbrook Police Department  
Police Officer; POLICE OFFICER JOHN DOE #1, #2, #3, #4,  
and "6", Individually and in their capacity as Lynbrook  
Police Department Police Officers, intended to be the  
police officers who were present at the January 27, 2009  
incident;

POLICE OFFICER JOHN DOE #5, Individually and in his capacity as a Lynbrook Police Department Police Officer, intended to be the police officer who struck the Plaintiff in the head during the incident which occurred on January 27, 2009;

POLICE OFFICER JOHN DOE #7, Individually and in his capacity as a Lynbrook Police Department Police Officer, intended to be the police officer who was present at the March 16, 2009 incident;

POLICE OFFICER JOHN DOE #8, Individually and in his capacity as a Lynbrook Police Department Police Officer, intended to be the police officer who was present at the February 4, 2011 incident;

INCORPORATED VILLAGE OF LYNBROOK, and  
LYNBROOK POLICE DEPARTMENT,

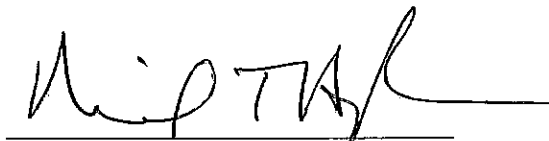
Defendants .

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**NOTICE OF VOLUNTARY DISMISSAL PURSUANT TO F.R.C.P. 41(a)(1)(A)(i)**

Pursuant to F.R.C.P. 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, the plaintiff and his counsel, hereby give notice that the above-captioned action is voluntarily dismissed, without prejudice against the defendants.

Date: February 1, 2012



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